

MEMO ENDORSED



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March 16, 2020

VIA ECF

Honorable Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Mark J. Sullivan v. City of New York and Steven Banks, as Commissioner of NYC Dept. of Social Services, 18-cv-7596 (ER)(JLC)

Dear Judge Ramos:

I am an Assistant Corporation Counsel and am responsible for the representation of Defendants in the above referenced matter. I submit this letter to request a second one-month extension of the time for the parties to submit signed settlement papers from March 16 until April 16, 2020. If the Court does not grant this joint request, Defendants separately request that the Court either conference the matter or grant Defendants leave to file a motion to enforce the settlement that was agreed to before Magistrate Cott. Mr. Sullivan advised me on March 13 that he supported a one month extension, but in light of the letter he filed today, I am uncertain as to his position concerning an extension.

By way of background, this case involves Mr. Sullivan's challenge to the New York City Department of Homeless Services ("DHS") assignment of him to shelters that he contends were inappropriate for him. After several settlement conferences with Magistrate Judge Cott, the parties on December 13, 2019 agreed to settle the case upon payment of a sum of money by the City of New York to Mr. Sullivan. At that conference, I advised Mr. Sullivan that I would determine the amount of his outstanding child support obligation and that the City would pay that obligation from the proceeds of the settlement and send him the remaining amount. On December 19, 2019, I sent Mr. Sullivan settlement papers to memorialize the settlement agreed to before Magistrate Cott.

Mr. Sullivan has repeatedly advised me that he does not challenge the terms or fairness of the settlement agreement in this case. Instead, he raises issues concerning the amount of money he owes to his former wife as child support. As relief from the judgment creating the child

support obligation is unrelated to the dispute before this Court, Defendants request that Mr. Sullivan's February 11, 2020 request to reopen the case be denied. However, Defendants do not oppose briefly extending the time to complete documentation of the settlement in this case so as to permit Mr. Sullivan time to attempt to negotiate an agreement with his former wife. Accordingly, Defendants request that the Court deny Mr. Sullivan's request to reopen the case and either (i) extend the time for the parties to submit signed settlement papers, (ii) conference the matter with your Honor or with Magistrate Cott or (iii) grant defendants leave to file a motion to enforce the settlement that was agreed to before Magistrate Cott in accordance with the holding in *Winston v. Mediafare Entertainment Corp.*, 777 F.2d 78, 80 (2d Cir. 1985).

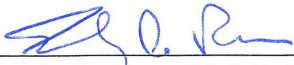
Respectfully,

/s/

Thomas B. Roberts
Assistant Corporation Counsel

CC: Mark Sullivan, by email
Mark9176677903@gmail.com

The Court is in receipt of Sullivan's letter dated Mar. 12, 2020, Doc. 46. The City's motion to extend time to submit settlement papers is DENIED. The Clerk of Court is respectfully directed to REOPEN the case. The parties are directed to appear for a status conference on May 22 at 3:30p.m. If the parties reach a final settlement before that time, they are directed to submit the signed settlement papers to the Court, after which the Court will dismiss this case.



Edgardo Ramos, U.S.D.J

Dated: Mar. 17, 2020

New York, New York